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26285

7590

10/22/2010

K&L GATES LLP
210 SIXTH AVENUE
PITTSBURGH, PA 15222-2613

EXAMINER

SHAIKH, MOHAMMAD Z.

ART UNIT

PAPER NUMBER

3694

DATE MAILED: 10/22/2010

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/677,172	10/02/2003	Serkan Savasoglu	030586	8324

TITLE OF INVENTION: ENHANCED REMARKETABLE SECURITIES

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$0	\$0	\$1510	01/24/2011

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. **PROSECUTION ON THE MERITS IS CLOSED.** THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN **THREE MONTHS** FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. **THIS STATUTORY PERIOD CANNOT BE EXTENDED.** SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

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Complete and send this form, together with applicable fee(s), to: Mail **Mail Stop ISSUE FEE**
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26285 7590 10/22/2010
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210 SIXTH AVENUE
PITTSBURGH, PA 15222-2613

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I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/67,172	10/02/2003	Serkan Savasoglu	030586	8324
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TITLE OF INVENTION: ENHANCED REMARKETABLE SECURITIES

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$0	\$0	\$1510	01/24/2011

EXAMINER	ART UNIT	CLASS-SUBCLASS
SHAIKH, MOHAMMAD Z	3694	705-035000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB-122) attached.
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB-47; Rev 03-02 or more recent) attached. Use of a **Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, _____ 1
(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. _____ 2
_____ 3

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY AND STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
☐ Publication Fee (No small entity discount permitted)
☐ Advance Order - # of Copies _____

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature _____ Date _____
Typed or printed name _____ Registration No. _____

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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K&L GATES LLP 210 SIXTH AVENUE PITTSBURGH, PA 15222-2613			SHAikh, MOHAMMAD Z.	
			ART UNIT	PAPER NUMBER

3694

DATE MAILED: 10/22/2010

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 768 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 768 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Notice of Allowability**Application No.**

10/677,172

Examiner

MOHAMMAD Z. SHAIKH

Applicant(s)

SAVASOGLU ET AL.

Art Unit

3694

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 02/17/10.
2. ☒ The allowed claim(s) is/are 13, 15-27, 30, 32, 36, 38-40.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

/Ella Colbert/
Primary Examiner, Art Unit 3694

DETAILED ACTION

1. Claims 13, 15-24, 26-27, 30, 32, 36, 38-40 are allowed.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.
4. Authorization for this examiner's amendment was given in a telephone interview with attorney Mark Knedeisen on 10/04/10.

The application has been amended as follows:

Listing of Claims:

1-12. (Canceled)

13. (Previously Presented)

A computer-implemented method for supporting the issuance and remarketing of a financial security comprising the steps of:
issuing a unit to a holder, using an issuing computer system, wherein the unit comprises a forward contract and a remarketable security that secures performance of obligations of the forward contract, the forward contract requiring the holder to purchase [[of]] a quantity of stock from an issuer at a settlement price on or before a settlement date, the

remarketable security having an issue denomination and a maturity date, and wherein the remarkable security at issue is subordinate to senior debt of the issuer; and

offering at a remarketing time, using a remarketing computer system, the remarkable security to one or more new investors at a remarketing denomination different from the issue denomination, wherein at the remarketing time the remarkable security is not subordinate to the senior debt of the issuer, and wherein the unit provides the remarketing denomination at time of issue,

wherein the issuing computer system comprises at least one transaction computer and data storage media and is programmed to process data relating to the issuing of the unit, and

wherein the remarketing computer system comprises at least one transaction computer and data storage media and is programmed to process data relating to the remarketing of the remarkable security.

14. (Canceled)

The method of claim 13, wherein at the remarketing time, the remarkable security does not have subordination to senior debt of the issuer.

15. (Original) The method of claim 13, further comprising the step of: changing the maturity date of the remarkable security on the remarketing date.

16. (Original) The method of claim 13, further comprising the step of: adding one or more financial covenants on the remarketing date.

17. (Original) The method of claim 13, further comprising the step of: making the remarkable security callable after the remarketing date.

18. (Original) The method of claim 13, further comprising the steps of: selling the remarketable security to a new investor; and satisfying the forward contract with proceeds obtained from the new investor.

19. (Currently Amended) The method of claim 13, further comprising the step of delivering a quantity of stock to the holder upon settlement of the forward contract.

20. (Currently Amended) The method of claim 19, wherein the quantity of stock is determined by a formula based on a price of the stock at expiration of the forward contract ~~payoff function~~.

21. (Original) The method of claim 13, further comprising the step of collecting a remarketing fee.

22. (Original) The method of claim 13, wherein the remarketable security comprises a debt security.

23. (Original) The method of claim 13, wherein the remarketable security comprises a preferred security.

24. (Original) The method of claim 13, wherein the remarketing time comprises one or more remarketing dates.

25. (Canceled)

26. (Previously Presented) The method of claim 13, wherein at issue the remarketable security has an issue coupon frequency, and wherein at the remarketing time, the remarketable security has a remarketing coupon frequency different from the issue coupon frequency, wherein the unit provides the remarketing coupon frequency at the time of issue.

27. (Previously Presented) The method of claim 13, wherein at the remarketing time, the remarketable security does not have a previously available interest rate deferral option to the issuer.

28-29 (Canceled)

30. (Previously Presented) The method of claim 26, wherein at the remarketing time, the remarketable security does not have a previously available interest rate deferral option to the issuer.

31. (Canceled).

32. (Currently Amended) A computer-implemented method for supporting the issuance and remarketing of a financial security comprising the steps of: issuing a unit to a holder, using an issuing computer system, wherein the unit comprises a forward contract and a remarketable security that secures performance of obligations of the forward contract, the forward contract requiring the holder to purchase ~~[[of]]~~ a quantity of stock from an issuer at a settlement price on or before a settlement date, the remarketable security having an issue denomination and a maturity date later than the settlement date, and wherein the remarketable security at issue is subordinate to senior debt of the issuer; and offering, at a remarketing time, using a remarketing computer system, the remarketable security to one or more new investors at a remarketing coupon frequency different from an issue coupon frequency, wherein at the remarketing time the remarketing security is not subordinate to the senior debt of the issuer, and wherein the unit provides the remarketing coupon frequency at time of issue,

wherein the issuing computer system comprises at least one transaction computer and data storage media and is programmed to process data relating to the issuing of the unit, and wherein the remarketing computer system comprises at least one transaction computer and data storage media and is programmed to process data relating to the remarketing of the remarketable security.

33-35 (Canceled)

36. (Currently Amended) A computer-implemented method for supporting the issuance and remarketing of a financial security comprising the steps of: issuing a unit to a holder, using an issuing computer system, wherein the unit comprises a forward contract and a remarketable security that secures performance of obligations of the forward contract, the forward contract requiring the holder to purchase [[of]] a quantity of stock from an issuer at a settlement price on or before a settlement date, the remarketable security having an issue denomination, an issue coupon frequency, and a maturity date later than the settlement date, ~~and wherein the remarketable security has an issuer interest rate deferral option~~; and offering, at a remarketing time, using a remarketing system, the remarketable security to one or more new investors ~~without the issuer interest rate deferral option~~, at a remarketing denomination different from the issue denomination and at a remarketing coupon frequency different from the issue coupon frequency, wherein the unit provides the remarketing denomination and the remarketing coupon frequency at issuance,

wherein the issuing computer system comprises at least one transaction computer and data storage media and is programmed to process data relating to the

issuing of the unit, and wherein the remarketing computer system comprises at least one transaction computer and data storage media and is programmed to process data relating to the remarketing of the remarketable security.

37. (Canceled).

38. (Currently Amended)

A computer-implemented method for supporting the issuance and remarketing of a financial security comprising the steps of: issuing a unit to a holder, using an issuing computer system, the unit comprising a forward contract and a remarketable security that secures performance of obligations of the forward contract, the forward contract requiring the holder to purchase of a quantity [[of]] stock from an issuer at a settlement price on or before a settlement date, the remarketable security having an issue denomination and a maturity date later than the settlement date, wherein the remarketable security is subordinate to senior debt of the issuer at issuance of the unit, and wherein the unit provides that at a remarketing time, the remarketable security has a remarketing denomination different from the issue denomination and is without subordination to the senior debt,

wherein the issuing computer system comprises at least one transaction computer and data storage media and is programmed to process data relating to the issuing of the unit.

39. (Currently Amended) A computer-implemented method for supporting the issuance and remarketing of a financial security comprising the steps of:
issuing a unit to a holder, using an issuing computer system, the unit comprising a

forward contract and a remarketable security that secures performance of obligations of the forward contract, the forward contract requiring the holder to purchase [[of]] a quantity of stock from an issuer at a settlement price on or before a settlement date, the remarketable security having an issue denomination and a maturity date later than the settlement date, wherein the remarketable security is subordinate to senior debt of the issuer at issuance of the unit, wherein at issue the remarketable security has an issue coupon frequency, and wherein the unit provides that at a remarketing time, the remarketable security has a remarketing coupon frequency different from the issue coupon frequency and is without subordination to the senior debt.

wherein the issuing computer system comprises at least one transaction computer and data storage media and is programmed to process data relating to the issuing of the unit.

40. (Currently Amended) A computer-implemented method for supporting the issuance and remarketing of a financial security comprising the steps of: issuing a unit to a holder, using an issuing computer system, the unit comprising a forward contract and a remarketable security that secures performance of obligations of the forward contract, the forward contract requiring the holder to purchase [[of]] a quantity of stock from an issuer at a settlement price on or before a settlement date, the remarketable security having an issue denomination, and issue coupon frequency, and a maturity date later than the settlement date, and wherein the unit provides that at a remarketing time, the remarketable security ~~does not have a previously available interest rate deferral option to the issuer~~, has a remarketing denomination different from

the issue denomination and a remarketing coupon frequency different from the issue coupon frequency,

wherein the issuing computer system comprises at least one transaction computer and data storage media and is programmed to process data relating to the issuing of the unit.

REASONS FOR ALLOWANCE

Independent claim 13 recites:

13. (Previously Presented)

A computer-implemented method for supporting the issuance and remarketing of a financial security comprising the steps of: issuing a unit to a holder, using an issuing computer system, wherein the unit comprises a forward contract and a remarketable security that secures performance of obligations of the forward contract, the forward contract requiring the holder to purchase [[of]] a quantity of stock from an issuer at a settlement price on or before a settlement date, the remarketable security having an issue denomination and a maturity date, and wherein the remarketable security at issue is subordinate to senior debt of the issuer; and offering at a remarketing time, using a remarketing computer system, the remarketable security to one or more new investors at a remarketing denomination different from the issue denomination, wherein at the remarketing time the remarketable security is not subordinate to the senior debt of the issuer, and wherein the unit provides the remarketing denomination at time of issue,

wherein the issuing computer system comprises at least one transaction computer and data storage media and is programmed to process data relating to the issuing of the unit, and

wherein the remarketing computer system comprises at least one transaction computer and data storage media and is programmed to process data relating to the remarketing of the remarketable security.

Independent claim 32 recites:

32. (Currently Amended) A computer-implemented method for supporting the issuance and remarketing of a financial security comprising the steps of: issuing a unit to a holder, using an issuing computer system, wherein the unit comprises a forward contract and a remarketable security that secures performance of obligations of the forward contract, the forward contract requiring the holder to purchase [[of]] a quantity of stock from an issuer at a settlement price on or before a settlement date, the remarketable security having an issue denomination and a maturity date later than the settlement date, and wherein the remarketable security at issue is subordinate to senior debt of the issuer; and offering, at a remarketing time, using a remarketing computer system, the remarketable security to one or more new investors at a remarketing coupon frequency different from an issue coupon frequency, wherein at the remarketing time the remarketing security is not subordinate to the senior debt of the issuer, and wherein the unit provides the remarketing coupon frequency at time of issue,

wherein the issuing computer system comprises at least one transaction computer and data storage media and is programmed to process data relating to the issuing of the unit, and wherein the remarketing computer system comprises at least one transaction computer and data storage media and is programmed to process data relating to the remarketing of the remarketable security.

Independent claim 36 recites:

36. (Currently Amended) A computer-implemented method for supporting the issuance and remarketing of a financial security comprising the steps of: issuing a unit to a holder, using an issuing computer system, wherein the unit comprises a forward contract and a remarketable security that secures performance of obligations of the forward contract, the forward contract requiring the holder to purchase [[of]] a quantity of stock from an issuer at a settlement price on or before a settlement date, the remarketable security having an issue denomination, an issue coupon frequency, and a maturity date later than the settlement date, ~~and wherein the remarketable security has an issuer interest rate deferral option~~; and offering, at a remarketing time, using a remarketing system, the remarketable security to one or more new investors ~~without the issuer interest rate deferral option~~, at a remarketing denomination different from the issue denomination and at a remarketing coupon frequency different from the issue coupon frequency, wherein the unit provides the remarketing denomination and the remarketing coupon frequency at issuance,

wherein the issuing computer system comprises at least one transaction computer and data storage media and is programmed to process data relating to the issuing of the

unit, and wherein the remarketing computer system comprises at least one transaction computer and data storage media and is programmed to process data relating to the remarketing of the remarketable security.

Independent claim 38 recites:

38. (Currently Amended)

A computer-implemented method for supporting the issuance and remarketing of a financial security comprising the steps of: issuing a unit to a holder, using an issuing computer system, the unit comprising a forward contract and a remarketable security that secures performance of obligations of the forward contract, the forward contract requiring the holder to purchase of a quantity [[of]] stock from an issuer at a settlement price on or before a settlement date, the remarketable security having an issue denomination and a maturity date later than the settlement date, wherein the remarketable security is subordinate to senior debt of the issuer at issuance of the unit, and wherein the unit provides that at a remarketing time, the remarketable security has a remarketing denomination different from the issue denomination and is without subordination to the senior debt,

wherein the issuing computer system comprises at least one transaction computer and data storage media and is programmed to process data relating to the issuing of the unit.

Independent claim 39 recites:

39. (Currently Amended) A computer-implemented method for supporting the issuance and remarketing of a financial security comprising the steps of:

issuing a unit to a holder, using an issuing computer system, the unit comprising a forward contract and a remarketable security that secures performance of obligations of the forward contract, the forward contract requiring the holder to purchase [[of]] a quantity of stock from an issuer at a settlement price on or before a settlement date, the remarketable security having an issue denomination and a maturity date later than the settlement date, wherein the remarketable security is subordinate to senior debt of the issuer at issuance of the unit, wherein at issue the remarketable security has an issue coupon frequency, and wherein the unit provides that at a remarketing time, the remarketable security has a remarketing coupon frequency different from the issue coupon frequency and is without subordination to the senior debt,

wherein the issuing computer system comprises at least one transaction computer and data storage media and is programmed to process data relating to the issuing of the unit.

Independent claim 40 recites:

40. (Currently Amended) A computer-implemented method for supporting the issuance and remarketing of a financial security comprising the steps of:
issuing a unit to a holder, using an issuing computer system, the unit comprising a forward contract and a remarketable security that secures performance of obligations of the forward contract, the forward contract requiring the holder to purchase [[of]] a quantity of stock from an issuer at a settlement price on or before a settlement date, the remarketable security having an issue denomination, and issue coupon frequency, and a maturity date later than the settlement date, and wherein the unit provides that at a

remarketing time, the remarketable security ~~does not have a previously available interest rate deferral option to the issuer,~~ has a remarketing denomination different from the issue denomination and a remarketing coupon frequency different from the issue coupon frequency,

wherein the issuing computer system comprises at least one transaction computer and data storage media and is programmed to process data relating to the issuing of the unit.

The following prior art references have been deemed most relevant to the allowed claim(s):

Regarding claim 13:

The closest prior art of record **US Patent 7,257,555 to Farr** discloses, "a method for supporting the issuance and remarketing of a financial security comprising the steps of: issuing a unit to a holder, wherein the unit comprises a forward contract and a remarketable security that secures performance of obligations of the forward contract, the forward contract requiring the holder to purchase of a quantity of stock from an issuer at a settlement price on or before a settlement date (column 5: lines 8-17).

Further, **US 2004/0039669 to Jones** discloses wherein the issuing computer system comprises at least one transaction computer and data storage media and is programmed to process data relating to the issuing of the unit, and wherein the remarketing computer system comprises at least one transaction computer and data

storage media and is programmed to process data relating to the remarketing of the remarketing security (claim 12).

Claim 13 is allowed because **US Patent 7,257,555 to Farr** and **US 2004/0039669 to Jones** taken individually or with other prior art references fails to teach or render obvious, "the remarketable security having an issue denomination and a maturity date later than the settlement date, and wherein the remarketable security at issue is subordinate to senior debt of the issuer; and offering at a remarketing time, using a remarketing computer system, the remarketable security to one or more new investors at a remarketing denomination different from the issue denomination, wherein at the remarketing time the remarketable security is not subordinate to the senior debt of the issuer, and wherein the unit provides the remarketing denomination at time of issue"
Regarding claim 32:

The closest prior art of record, US Patent 7,257,555 to Farr discloses, "a method for supporting the issuance and remarketing of a financial security comprising the steps of: issuing a unit to a holder, wherein the unit comprises a forward contract and a remarketable security that secures performance of obligations of the forward contract, the forward contract requiring the holder to purchase of a quantity of stock from an issuer at a settlement price on or before a settlement date" (column 5: lines 8-17). US 2004/0039669 to Jones discloses, "wherein the issuing computer system comprises at least one transaction computer and data storage media and is programmed to process data relating to the issuing of the unit, and wherein the remarketing computer

system comprises at least one transaction computer and data storage media and is programmed to process data relating to the remarketing of the remarketing security”

Claim 32 is allowed because ***US Patent 7,257,555 to Farr*** and ***US 2004/0039669 to Jones*** taken individually or with other prior art references fails to teach or render obvious, “the remarketable security having an issue denomination and a maturity date later than the settlement date, and wherein the remarketable security at issue is subordinate to senior debt of the issuer; and offering, at a remarketing time, using a remarketing computer system, the remarketable security to one or more new investors at a remarketing coupon frequency different from an issue coupon frequency, wherein at the remarketing time the remarketing security is not subordinate to the senior debt of the issuer, and wherein the unit provides the remarketing coupon frequency at time of issue”.

Regarding claim 36:

The closest prior art of record, ***US Patent 7,257,555 to Farr***, discloses, “a method for supporting the issuance and remarketing of a financial security comprising the steps of: issuing a unit to a holder, wherein the unit comprises a forward contract and a remarketable security that secures performance of obligations of the forward contract, the forward contract requiring the holder to purchase of a quantity of stock from an issuer at a settlement price on or before a settlement date (column 5: lines 8-17)

US 2004/0039669 to Jones discloses, “wherein the issuing computer system comprises at least one transaction computer and data storage media and is programmed to

process data relating to the issuing of the unit, and wherein the remarketing computer system comprises at least one transaction computer and data storage media and is programmed to process data relating to the remarketing of the remarketing security"

Claim 36 is allowed because ***US Patent 7,257,555 to Farr*** and ***US 2004/0039669 to Jones*** taken individually or with other prior art references fails to teach or render obvious," the remarketable security having an issue denomination, an issue coupon frequency, and a maturity date later than the settlement date, and offering, at a remarketing time, using a remarketing system, the remarketable security to one or more new investors, at a remarketing denomination different from the issue denomination and at a remarketing coupon frequency different from the issue coupon frequency, wherein the unit provides the remarketing denomination and the remarketing coupon frequency at issuance"

Claim 38 is allowed using the same rationale as claim 13.

Claim 39 is allowed using the same rationale as claim 32.

Claim 40 is allowed using the same rationale as claim 36.

CONCLUSION

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled, "Comments on Statement Reasons for Allowance".

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MOHAMMAD Z. SHAIKH whose telephone number is (571)270-3444. The examiner can normally be reached on Monday-Friday (9:30-6:00); alt Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jim Tramell can be reached on 571-272-6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

10/20/2010
/M. Z. S./
Examiner, Art Unit 3694

Mohammad Z Shaikh
Examiner
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/Ella Colbert/
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